

## **REMARKS**

### **I. Introduction**

This paper addresses the non-final Office Action of June 24, 2009, in connection with the above-captioned application. Claims 1-21 are currently pending. Claims 1-21 stand rejected. Claim 1 is amended. No new matter has been added; the amendment is supported by the application as originally filed. Reconsideration of the application is respectfully requested in light of the amendment and the following remarks.

### **II. Rejection of Claims 1-13, and 19-21 under 35 U.S.C. § 102(b)**

Claims 1-13, and 19-21 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,774,170 ("Hite"). It is respectfully submitted that the pending claims are patentable over the cited reference for at least the following reasons.

As background, example embodiments of the present invention relate to the creation and presentation of customized messages (e.g., television commercials) from smaller elements. For instance, advertisers often wish to create television commercials that are customized for particular target audiences. To do so, the advertiser typically creates a number of different, complete advertisements, resulting in a set of separate linear TV commercials that are not related to each other anymore (although 80% of the content of the commercial may be identical). If it becomes necessary to make changes in the "common" part of the TV commercials, it is necessary to go back to the production process and re-do all different variants of the commercial. More specifically, the process does not allow for elements of the commercial to be automatically changed/customized later on in the process (the commercial is already finished, and cannot be changed anymore without going back to the production and finishing process). This makes it impossible to automatically generate personalized versions of the commercial that are specific for a given audience or context at (or close to) the time of play out.

Simply put, one of the limitations of the present day process is that after post-production, all relations between media (different versions) and data (demographics) are lost. All that is left is a (set of) linear TV commercial(s). This makes it impossible to automatically change the commercial and make it more relevant to a target audience later on in the process. Example embodiments of the present invention include methods for authoring personalized video messages more easily. The method includes providing a plurality of media segments,

the media segments for assembly into the plurality of different messages to targeted audiences, wherein at least one of the media segments is interchangeable with another one of the media segments. The method also includes providing assembly information regarding how the plurality of media segments may be assembled to create the different messages. These media segments may be, by themselves, less than an entire commercial. For example, titling for a message or commercial may be created and assembled with other media segments into a complete message.

Media segments can include audio, video, voice overs, and background music. Each type of segment can be assembled with other segments based on information or conditions imposed by the assembly information. The assembly information can include data representing time segments; the media segments, and conditions. This assembly information forms a network which maintains a matrix-like overview of the media segments, their timing, and how they may be combined with other media segments in order to assemble the messages. For example, FIG. 9 illustrates media segments which may be used to assemble a message. As can be seen in the drawing, the media segments include portions of a message, e.g., music, voice over, etc., which may be combined in some manner to make a number of single complete messages.

In this context, claim 1 is amended herein to more clearly recite the claimed method. As presented, claim 1 recites:

A method for creating a message campaign, said message campaign allowing the creation of a plurality of different individual advertisements for targeted audiences based upon criteria of said targeted audiences, comprising:  
    providing a plurality of media segments, said media segments configured to be assembled into said plurality of individual advertisements, wherein at least one of said media segments is interchangeable with another one of said media segments;  
    providing assembly information regarding how said plurality of media segments may be assembled to create said plurality of individual advertisements; and  
    associating said assembly information with said plurality of media segments;  
    wherein each media segment is not a complete individual advertisement.

Thus, as amended, claim 1 makes it clear that the media segments described are each **portions** of an advertisement which are designed to be assembled into a completed individual advertisement. The Hite reference does not teach such a method. Rather, Hite describes only

a number of **complete commercials** associated with CIDs which may be displayed based on their CID. *See, e.g.*, Hite, col 8, l. 64 – col. 9, l. 15. Nothing in Hite describes media segments, which are not themselves complete individual advertisements, but which may be assembled into an individual advertisement. In fact, the Office Action itself recognizes that Hite does not teach such a method. Thus, on page 3, the Office Action suggests that Hite teaches the “media segments” of claim 1 because it describes “multiple commercials.” But the media segments of claim 1 are not “commercials.” Rather they are parts of commercials—which are not discussed in Hite, which is concerned only with the placement of completed commercials.

Accordingly, it is respectfully submitted that claim 1 is patentable over the cited reference for at least the reasons presented above, as are the remaining claims which depend from it. Withdrawal of the rejection is respectfully requested.

### **III. Rejection of Claims 14-18 under 35 U.S.C. § 103(a)**

Claims 14-18 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Hite and U.S. Patent Application Publication No. 2003/0221191 (“Khusheim”). It is respectfully submitted that the claims are patentable over the cited references for at least the following reasons.

The rejected claims depend from claim 1. As explained above, claim 1 is patentable over Hite. The Office Action does not suggest that the Khusheim reference addresses the deficiencies of the Hite reference as to claim 1, and it is respectfully submitted that the reference does not do so. Accordingly, claim 1 is patentable over the proposed combination of references for at least the reasons presented above, are its dependent claims. Withdrawal of the rejection is respectfully requested.

**VI. Conclusion**

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,  
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